

CITY COUNCIL
CITY OF WICHITA
KANSAS

City Council Meeting
May 20, 2003, 9:00 A.M.

City Hall
455 North Main

ORDER OF BUSINESS

- Call to Order
 - Invocation
 - Pledge of Allegiance
 - Approve the minutes of the previous meeting
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AWARDS AND PRESENTATIONS

- Recognition of Police Officer.
 - Public Works Week Recognition.
 - Recognition of Wichita Area Military Academy Appointees.
 - Recognition of Student Ambassadors to Cancun, Mexico.
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PUBLIC AGENDA

1. Delia Lopez – Performance Assessment Center.
 2. Gary Ingram – Harassment.
 3. Marge Zakoura-Vaughan – Services at the Community and Neighborhood Level, with Special Emphasis on the Planeview Area.
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NEW BUSINESS

4. Redemption of Hospital Facilities Improvement and Refunding Revenue Bonds – St. Francis Regional Medical, Inc. (Districts II, III, and VI)

Via Christi Regional Medical Center, Inc., as successor by merger to St. Francis Regional Medical Center, Inc., is requesting approval to call, redeem, and pay prior to maturity, all of its outstanding Series III, 1992 Bonds.

RECOMMENDED ACTION: Adopt the Resolution authorizing early redemption; authorize the necessary signatures.

5. Taxable Industrial Revenue Bonds, Series V, 2000, and Series III, 2002 – Big Dog Motorcycles Project; and Consent to Easement. (District I)

The City has been asked to consent to a utility easement for sanitary sewer purposes. The City must join in the grant of easement because it is the record owner of the project.

RECOMMENDED ACTION: Adopt the Resolution; consent to the Easement; authorize the necessary signatures.

6. Sanitary Sewer Main to Serve an Area Bounded by 29th Street North, Hoover, K-96, and Tyler. (District V)

The City's Capital Improvement Program includes a project to extend sanitary sewer service to newly developing areas.

RECOMMENDED ACTION: Approve the project; adopt the Resolution.

7. DR2001-03 – McAdams neighborhood Revitalization Plan – South of 17th Street, West of Hydraulic, North of Central, East of Mosley. (District I)

The proposed McAdams Neighborhood Revitalization Plan addresses neighborhood plan issues, goals to address neighborhood planning issues, an action plan to implement the planning goals, and a future land-use redevelopment concept.

RECOMMENDED ACTION: Adopt the Plan as an amendment to the Wichita-Sedgwick County Comprehensive Plan; approve first reading of the Ordinance.

8. Request to Waive Spacing Requirements for Placement of an Alternative Correctional Housing Facility at 309 North Market. (District VI)

Section 20.08.120 of the Alternative Correctional Housing Code provides that any new alternative correctional housing facility may not be licensed if it is within 1,200 feet of various incompatible uses.

RECOMMENDED ACTION: Follow the Alternative Correctional Housing Board recommendation to deny the appeal request.

9. Special Liquor Tax Fund Renewal of Contracts.

On May 14, 2002, the City Council approved funding for Miracles, Inc., a case management project, and five innovative projects. The City Council is being requested to approve renewal of the Contracts for an additional one-year period.

RECOMMENDED ACTION: Approve the Contracts; authorize the necessary signatures.

10. Economic Development Steering Council Funding.

The Economic development Steering Council conducted a community-wide effort to develop a strategic plan for economic development. A consultant was engaged to analyze the fundraising potential of the private sector for economic development purposes. The Steering Council requests the City to participate in the cost of the project.

RECOMMENDED ACTION: Approve the one-time funding requested; OR
Reject the request.

11. Hydrobiological Monitoring Plan.

On March 4, 2003, the City Council authorized a project to prepare a Hydrobiological Monitoring Plan to evaluate the potential environmental impact of the projects included in the Plan.

RECOMMENDED ACTION: Approve the Contract; authorize the necessary
signatures.

CITY COUNCIL AGENDA

12. Planeview Library Closure.

This Item was pulled from the Agenda.

13. Approval of Travel Expenses for Council Member Brewer to Attend NLC Community and Economic Development Steering Committee Meeting in Temecula, California, May 29-31, 2003.

RECOMMENDED ACTION: Approve the travel expenses.

14. Approval of Travel Expenses for Council Member Martz to Attend NLC Human Development Steering Committee Meeting in Moorhead, Minnesota, June 19-21, 2003.

RECOMMENDED ACTION: Approve the travel expenses.

15. Proclamation - World Trade Week.

RECOMMENDED ACTION: Approve the Proclamation.

16. Appointment to the Juvenile Corrections Advisory Board (current appointment expires June 30, 2003).

RECOMMENDED ACTION: Make the appointment.

17. Appointments to the Community Corrections Advisory Board (current appointments expire June 30, 2003).

RECOMMENDED ACTION: Make the appointment.

18. Board Appointments.

RECOMMENDED ACTION: Make the appointments.

CONSENT AGENDA

19. Report of the Board of Bids and Contracts Dated May 19, 2003.

RECOMMENDED ACTION: Receive and file report; approve Contracts;
authorize necessary signatures.

20. Applications for Licenses to Retail Cereal Malt Beverages:

<u>Renewal</u>	<u>2003</u>	<u>(Consumption on Premises)</u>
Kevin F. Raven	Taco Tico*	2051 South Seneca
Kevin F. Raven	Taco Tico*	929 North Broadway
Kevin F. Raven	Taco Tico*	3425 East Douglas
Kevin F. Raven	Taco Tico*	603 East 47 th Street South
Kevin F. Raven	Taco Tico*	8629 East Irving
Kevin F. Raven	Taco Tico*	3131 North Rock Road
Kevin F. Raven	Taco Tico*	311 East Pawnee
Kevin F. Raven	Taco Tico*	1118 West Douglas
Kevin F. Raven	Taco Tico*	460 North West Street
Kevin F. Raven	Taco Tico*	1303 North Tyler
Edith Boede	Lil Mexico*	1601 East Pawnee

<u>Renewal</u>	<u>2003</u>	<u>(Consumption off Premises)</u>
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Robert J. Bales	Klepper Oil Co., Inc.	2601 North Broadway
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<u>New Operator</u>	<u>2003</u>	<u>(Consumption off Premises)</u>
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Ghanshyam Patel	Diamond Shamrock	4003 South Broadway
Ghanshyam Patel	Diamond Shamrock	731 North Ridge

<u>Special Event</u>	<u>June 7, 2003</u>
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Earnest E. Barnes	Roadhouse - The Blues Festival	3813 North Broadway
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*General/Restaurant - 50% or more of gross receipts derived from sale of food.

RECOMMENDED ACTION: Approve licenses subject to Staff review and approval.

21. Subdivision Plans and Specifications.

RECOMMENDED ACTION: Approve and advertise for bids to be submitted
to the Board of Bids.

22. Preliminary Estimates:

- a) 29th Street North and Rock Road Intersection Phase 1, and widening 29th Street - 29th Street North from Rock Road to Webb Road. (87N-0287-01/472-83519/706841/202307) Traffic to be maintained during construction using flag persons and barricades. (District II) - \$2,450,061.70
- b) Sunnybrook Court, Lots 1-14, Block A to serve Shadow Ridge Addition - north of 31st Street South, east of Hillside. (472-83673/792310/435272) Does not affect existing traffic. (District III) - \$73,998.00
- c) Water Distribution System to serve Wichita Heights High School - south of 53rd Street North, west of Hillside. (448-89739/735101/470771) Does not affect existing traffic. (District I) - \$159,000.00
- d) Lateral 4 Main 14 Four Mile Creek Sewer to serve Reed's Cove Addition - south of 21st Street North, east of 127th Street East. (468-83621/743985/480673) Does not affect existing traffic. (District II) - \$178,000.00
- e) Stormwater Drain #202 to serve Thunderbird Office Park - south of Maple, west of 119th Street West. (468-83607/751335/485226) Does not affect existing traffic. (District V) - \$264,000.00
- f) Ironhorse/Ironhorse Circle from the west line of Woodlawn to and including the cul-de-sac; Hillcrest/Hillcrest Circle from the south line of Ironhorse to and including the cul-de-sac; Oxford from the south line of Ironhorse to the west line of Hillcrest to serve Ironhorse at Oxford Addition - south of 29th Street North, west of Woodlawn. (472-83707/765789/490900) Does not affect existing traffic. (District I) - \$425,000.00
- g) Osie Street from Hydraulic to Kansas to serve Linwood School Addition - south of Harry, east of Hydraulic. (472-83705/765783/490894) Does not affect existing traffic. (District I) - \$150,300.00
- h) Waterfront Parkway from the north line of 13th Street to the east line of Webb Road to serve The Waterfront Addition - north of 13th Street North, east of Webb. (472-83688/765780/490891) Does not affect existing traffic. (District II) - \$1,672,000.00
- i) Tyler Road northbound left turn lane at the entrance of Maize Central Schools Addition and a left turn bay on Tyler Road to serve Brookview to serve Maize Central Schools Addition AND Tyler's Landing Addition - south of 37th Street North, along Tyler. (472-83713/472-83693/765788/765792/490899/490903) Traffic to be maintained during construction using flag persons and barricades. (District V) - \$107,500.00

RECOMMENDED ACTION: Approve and file.

23. Deeds and Easements:

- a) Sanitary Sewer Easement dated November 25, 2002 from USD 259 for a tract of land located in Lot 1, Block 1, Griffith Elementary School Addition, an Addition to Wichita, Sedgwick County, Kansas (Private Project, OCA #607861). No cost to City.
- b) Drainage & Utility Easement dated December 31, 2002 from Maize Road, LLC, a Kansas Limited Liability Company for a tract of land located in the Northeast Quarter of Section 6, Township 27 South, Range 1 West of the 6th P.M., Sedgwick County, Kansas (Private Project, OCA #607861). No cost to City.

(Item 23 continued)

- c) Utility Easement dated May 2, 2003 from 21/127, L.C., a Kansas Limited Liability Company for a tract of land located in Lots 11 and 12, Block 3, Reed's Cove Addition, an Addition to the City of Wichita, Sedgwick County, Kansas (Reed's Cove, OCA #743985). No cost to City.
- d) Easement and partial release of right-of-way dated May 20, 2003, from Kaneb Pipe Line Operating Partnership (Kaneb), for the N/2 S/2 NW/4 W of Wichita Drainage Canal, the S/2 N/2 NW/4, the NE/4 NE/4, and the S/2 S/2 NW/4, west of the Wichita Drainage Canal – all in S3 T27S R1E. (No cost to City)

RECOMMENDED ACTION: Accept documents.

24. Petitions for Public Improvements:

- a) Sanitary sewer to serve part of Kellogg Mall Addition - north of Kellogg, west of Rock. (District II)
- b) Street paving in Hawthorne Addition - north of 21st, east of 127th Street East. (District II)

RECOMMENDED ACTION: Approve Petitions; adopt Resolutions.

25. Consideration of Street Closures/Uses.

RECOMMENDED ACTION: Approve street closures/uses.

26. Report on Claims Allowed – April 2003:

<u>Name of Claimant</u>	<u>Amount</u>
Baldwin, James B.	\$116.00
Boyce, James D.	\$199.50
Clark, Nilkia and Tim Ziegler	\$5,750.00**
Clay, Toni M.	\$70.00
Crockett, Maryann	\$65.00
Cunningham, Glen	\$75.00
Dingman, Kevin	\$220.20**
Grattan, Bill	\$265.65
Green, Jason	\$500.00**
Holloway, Carol	\$5,000.00
Mart, Joyce	\$27.00
Ratzcliff, James	\$122.82
Ruyle, Larry	\$332.08
Westar Energy	\$2,728.01**

** Settled for lesser amount than claimed.

RECOMMENDED ACTION: Receive and file.

27. Agreements/Contracts:

- a) Supplemental - construction engineering and staking for Hawthorne Addition - north of 21st, east of 127th Street East. (District V)

(Item 27 continued)

- b) Wichita Intervention Program instructors.
- c) Easement encroachment – Lot 1 Cedardale Addition. (District III)
- d) Kansas Sports Hall of Fame amendment.

RECOMMENDED ACTION: Approve Agreements/Contracts; authorize necessary signatures.

28. Design Services Agreements:

- a) 2003 arterial street, bridge, and waterline replacement. (Districts II, III, V, and VI)

RECOMMENDED ACTION: Approve Agreements/Contracts; authorize necessary signatures.

29. Land and Water Conservation Fund Grant Application – Wichita Skate Park.

RECOMMENDED ACTION: Approve the Grant application and receipt of funds; authorize the necessary signatures.

30. Water and Sewer Facilities Security.

RECOMMENDED ACTION: Approve the purchase and installation.

31. Summer of Discovery Program Snacks.

RECOMMENDED ACTION: Approve snack provider and the Contract; authorize necessary signatures.

32. Property Acquisition:

- a) 5363 South Hydraulic. (District III)
- b) 5700 South Hydraulic. (District III)
- c) Waterline easement – Indian Hills Addition. (District VI)

RECOMMENDED ACTION: Approve budgets and Contracts; authorize necessary signatures.

33. Sale of Surplus Property:

- a) Southeast corner of Dugan Road and Kellogg Drive. (District V)
- b) North side of Kellogg, west of Bonnie Brae. (District II)

(Item 33 continued)

- c) North side of Kellogg, west of Heather. (District II)

RECOMMENDED ACTION: Approve sale and Contracts; authorize necessary signatures.

34. Second Reading Ordinances: (First read May 13, 2003)

- a) Unpaid sewer service charges and/or water service charges.

An Ordinance making a special assessment to pay the cost of unpaid sewer service charges and/or water service charges in the City of Wichita, Kansas. Be it ordained by the governing body of the City of Wichita, Kansas.

- b) ZON2002-15 - southwest corner of 21st Street North and west of Webb Road. (District II)

Ordinance changing the zoning classifications or districts of certain lands located in the City of Wichita, Kansas, under the authority granted by the Wichita-Sedgwick county unified zoning code, section v-c, as adopted by section 28.04.010, as amended.

RECOMMENDED ACTION: Adopt Ordinances.

PLANNING AGENDA

NOTICE: Public hearing on planning items is conducted by the MAPC under provisions of State law. Adopted policy is that additional hearing on zoning applications will not be conducted by the City Council unless a statement alleging (1) unfair hearing before the MAPC, or (2) alleging new facts or evidence has been filed with the City Clerk by 5p.m. on the Wednesday preceding this meeting. The Council will determine from the written statement whether to return the matter to the MAPC for rehearing.

* Consent Items

- *35. VAC2003-00007 Vacate Platted Setbacks – Northwest of the Julia and Dugan Streets Intersection, North of Kellogg Drive. (District V)

RECOMMENDED ACTION: Approve the Vacation Order; authorize the necessary signatures.

- *36. DED2003-10 – Dedication of Utility Easement – Northeast Corner of Maple and Robin Road. (District V)

RECOMMENDED ACTION: Accept the Dedication.

- *37. DED2003-11 – Dedication of Access Control – Northeast Corner of Maple and Robin Road. (District V)

RECOMMENDED ACTION: Accept the Dedication.

- *38. DED2003-12 – Dedication of Street Right-of-Way – Northeast Corner of Maple and Robin Road. (District V)

RECOMMENDED ACTION: Accept the Dedication.

- *39. SUB2002-43 – Plat of Highland Springs Third Addition – South Side of Central and West Side of 135th Street West. (District V)

RECOMMENDED ACTION: Approve the documents and Plat; authorize the necessary signatures; adopt the Resolution.

40. CON2003-00008 – Conditional Use for a Wireless Communication Facility on Property Zoned Limited Commercial – South of Kellogg, East of Woodlawn. (District II)

MAPC Recommendation: Approve, subject to Staff recommendation, except that lighting of the flag be permitted.

DAB Recommendation: Approve, subject to Staff recommendation.

Staff Recommendation: approve, subject to conditions.

RECOMMENDED ACTION: Concur with findings of MAPC and approve the Conditional Use, subject to the recommended conditions; OR

Return the application to the MAPC for reconsideration.

- *41. ZON2003-00014 – Zone Change from Multi-Family Residential to Office Warehouse with a Protective Overlay – North of Sunnybrook, East of Rutan. (District III)

RECOMMENDED ACTION: Approve, subject to Protective Overlay, and approve first reading of the Ordinance.

- *42. ZON2003-00015 – Zone Change from limited Commercial to Single-Family Residential – Northwest of the 29th Street North/Tyler Road Intersection. (District V)

RECOMMENDED ACTION: Approve, subject to platting in one-year; Ordinance to be forwarded to Council with the Plat.

43. ZON2003-00017 – Zone Change from Single-Family Residential to Limited Industrial – Southwest of the 45th Street North/Webb Road Intersection. (District II)

MAPC Recommendation: Approve, subject to platting within one-year; change zoning to Office Warehouse with an amended Protective Overlay instead of Limited Industrial and the Protective Overlay.

DAB Recommendation: Deny.

Staff Recommendation: Deny.

RECOMMENDED ACTION: Concur with the findings of the MAPC and approve subject to platting within one-year; change zoning to Office Warehouse with an amended Protective Overlay instead of Limited Industrial and the Protective Overlay; OR

Return the application to the MAPC for reconsideration.

AIRPORT AGENDA

NOTICE: The City Council is meeting as the governing body of the Airport for consideration and action on items on this Agenda, pursuant to State law and City ordinance. The meeting of the Authority is deemed called to order at the start of this Agenda and adjourned at the conclusion.

44. Terminal Building Second Floor Remodel.

RECOMMENDED ACTION: Approve the project budget.

HOUSING AGENDA

NOTICE: The City Council is meeting as the governing body of the Housing Authority for consideration and action on items on this Agenda, pursuant to State law, HUD, and City ordinance. The meeting of the Authority is deemed called to order at the start of this Agenda and adjourned at the conclusion.

*Consent Items

Inafay Grays-McClellan, Housing Member is also seated with the City Council.

*45. Grant Application for Resident Opportunities and Self-Sufficiency Program.

RECOMMENDED ACTION: Approve the Application and receipt of funds, subject to Certification of Consistency with the Consolidated Plan, and Contract; authorize necessary signatures.

*46. Grant Application – Family Self-Sufficiency Program Coordinator Position.

RECOMMENDED ACTION: Approve the Application and receipt of funds, and Contracts; authorize necessary signatures.

*47. Reports:

- a) Public Housing occupancy.
- b) Section 8 statistical monthly.
- c) Public Housing capital improvements.

RECOMMENDED ACTION: Receive and file.

Adjournment
